

**HISTORIC DISTRICT COMMISSION**  
*Town of Natick, Massachusetts*

**1975**  
**RULES AND REGULATIONS**  
**(INCLUDING AMENDMENTS THROUGH 2010)**

**I. General Rules and Organization**

1. These Rules and Regulations are adopted by the Natick Historic District Commission (hereinafter the "Commission") as required by Article XV, Section 2 of the Town By-Laws passed by the Town at the annual Town Meeting on March 28, 1974, and in accordance with Chapter 40C of the General Laws of the Commonwealth, as amended ([www.malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40c](http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40c)).
2. The Commission shall elect annually a Chairman, Vice-Chairman and a Secretary from within its own number.
3. The Chairman shall vote and be recorded on all matters coming before the Commission. He shall decide all points of order. He shall appoint committees, where necessary and he shall transact the official business of the Commission, request necessary help, direct the work of all subordinates, and exercise general supervisory power.
4. The Vice-Chairman shall act as Chairman in the event the Chairman is absent, or otherwise unable to perform his duties, and shall assist the Chairman at all other times.
5. The Secretary shall supervise all of the clerical work of the Commission, including correspondence, sending notices, keeping minutes and all records and files of the Commission, including reports, publications and the roster of membership within the Massachusetts Historical Commission.
6. The Commission shall meet at the call of the Chairman or Vice-Chairman, or at the request of two or more members and notice thereof shall be given to each member and posted publicly in the Town Clerk's Office at least forty-eight (48) hours before the time set. The meetings shall be open to the public.
7. A majority of all members of the Commission must be present for a quorum, and the acts of a majority of members present at a meeting at which a quorum is present shall be the acts of the Commission, except that the concurring vote of a majority of all members of the Commission shall be necessary to issue a Certificate of Non-applicability, Certificate of Appropriateness, or a Certificate of Hardship.
8. The Commission shall busy itself with the duties required of it under Chapter 40C and the Town By-Laws to preserve and protect buildings and places within the Historic District and to encourage design compatible with the historic aspects or the architectural characteristics of the surroundings and of the Historic District, and it shall receive and consider the requests of owners of properties within said Historic District as regards construction, alteration, changes, improvements, additions or renovations affecting the exterior features of said properties, including such appurtenances as are not excluded by the Town By-Laws and Chapter 40C of the General Laws, as they may be amended from time to time.

9. The Commission may from time to time amend these Rules and Regulations.

## **II. Application to the Commission**

1. When any alterations, changes, etc. (see I, (8) above) are to be made within the Historic District, an Application for Certification must be made on forms available at the Town Clerk's Office. The form shall be completed and filed with the Commission in care of the Town Clerk, together with the required filing fee. The required filing fee shall be twenty-five (\$25.00) if the application pertains to a single-family residential property, and shall be forty dollars (\$40.00) if the application pertains to any other type of property.
2. In addition to the filing fee described in section (1), prior to any final determination by the Commission, the applicant will be required to pay to the Town Clerk the amount of any postage costs deemed necessary by the Commission to notify those parties who are entitled to notice of the application.
3. Any Application may be withdrawn by notice in writing to the Commission at any time prior to its determination, without refund of the filing fee or any postage expenses incurred.
4. The Commission reserves the right to ask any applicant to submit additional documentary evidence and plans before a determination is made on any given application, including detailed engineering drawings and plans, architectural and landscape renderings, and design specifications.

## **III. Determinations and Hearings**

1. If the Commission determines that the Application for Certification involves features which are not subject to its approval, a Certificate of Non-applicability shall be issued.
2. If the Commission determines that the Application for Certification does involve features subject to its approval, it shall then schedule a public hearing for a date that provides for at least twenty-one (21) days advance public notice. Notice, indicating the owner(s), applicant (if different), and property involved, shall be posted in the Town Clerk's Office and as such other public places as may be required by the General Law or the By-Law, and the following parties notified by mail: the applicant, owners of adjoining property, Town Planning Board, any person who has filed a written request for such notices (such as requests to be renewed yearly in December), owners of property deemed to be materially affected, and any other persons the Commission deems entitled to notice. If all persons entitled to receive notice of the public hearing waive the hearing in writing, the hearing need not be held.
  - a. All hearings shall be open to the public.
  - b. The order of business of a public hearing shall be as follows:
    - 1) The Secretary or his designee shall read the public notice, Application, findings of fact, letters, and present any exhibit submitted to the Commission.
    - 2) Presentation by the applicant or his designee.

- 3) General comments and questions for persons either in favor or opposed to the petition, if any, and questions by those seeking information.
- 4) Applicant's rebuttal restricted to matters raised by opponents.

Members of the Commission may direct any appropriate questions during the hearing.

3. Final determination on the Application shall be made by the Commission as follows:

- a. When making its final determination on an Application, a detailed record of the proceedings will be made, which shows the vote so indicating, and the reasons for any decision will be included in this record.
- b. Within sixty (60) days of the date of filing the Commission shall make a determination on the Application. This time limitation can be extended if the applicant allows it in writing. A Certificate of Hardship shall be issued if no determination has been made within the time herein specified.
- c. The concurring vote of at least a majority of members of the Commission shall be necessary to issue Certificates of Appropriateness, Non-applicability or Hardship.
- d. A notice of the determination and the reasons as set forth in the records shall be issued to the applicant. The Commission may make recommendations to the applicant either before or after its determination of disapproval. If such recommendations for changes in design, arrangement, texture, material and similar features are adopted by the applicant and if he files written modifications of his application in conformity with the recommended changes of the Commission within fourteen (14) days after receipt of such notice, the Commission shall issue a Certificate of Appropriateness.
- e. If an application for Certificate of Appropriateness is not approved, or if an application for Certificate of Hardship is received, the Commission shall determine whether, owing to conditions especially affecting the building or structure involved but not affecting the Historic District generally, failure to approve will involve substantial hardship, financial or otherwise, to the applicant and whether the application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of the By-Law establishing the Historic District. If the Commission determines that failure to approve the application will involve such substantial hardship to the applicant and that approval may be made without substantial detriment and such derogations, a Certificate of Hardship will be issued.